

USSN. 09/709,581

A.U.: 1714

Examiner: TOOMER, CEPHIA D

January 20, 2003

Remarks

The amendments are made without prejudice. The Applicant does not intend to abandon any subject matter present in the application as filed.

The Examiner's comments and objections and the cited references have been carefully considered by the Applicant.

Claim Rejection – 35 USC §112

Amended claim 1 indicates methyl esters of rapeseed and sunflower oil, as indicated in the original specification at page 8, lines 1-6. None of claims 2-13 contains a reference to a liquid fuel being represented by rapeseed oil or sunflower oil. Claim 4 was cancelled.

Withdrawal of the objection is requested.

Claim rejection – 35 USC § 103

None of Lapain, Boehmke and Nixon discloses a fuel in microemulsion form obtained by mixing the components in a system provided with multiple reverse-flow coaxial turbines.

The claimed product is a fuel in form of microemulsion which is obtained by mixing the components in the claimed manner and is not the same as the product obtained by mixing the same components as disclosed by Lapain, Boehmke and Nixon at least in that the microemulsion properties are different.

The Applicant has found that the stability of the fuel in microemulsion form as claimed is higher than stability of emulsions of the prior art: unlimited stability at low temperature (at least -16 to -20°C in static condition), unlimited stability to temperature recovery from -16 - -20°C, in static condition to ambient temperature ; unlimited stability to centrifugation at more than 6500 m/s² at +20°C for a period of more than 15 minutes; stability at temperature and pressure variation due to passage through high pressure pumps, unlimited stability even with a water content at more than 12% and more when the primary fluid is oil or biovegetal oil and up to 50% for primary fluids having a viscosity higher than 20-30 cSt at 50°C.

Withdrawal of the objection to claim 12 is requested as well as withdrawal of the objection to claim 13 which is dependent on claim 1 and not on claim 12.

Claim Rejection – 35 USC § 102

Amended claim 1 (which is based on a combination of claims 1 and 4) indicates that the emulsive agent is a C12-C13 alcool etoxylate or cetyl stearyl alcohol.

Haupais does not disclose a fuel in microemulsion form comprising C12-C13 alcool etoxylates or cetyl stearyl alcohol.

Moreover, it should be noted that Boehmke does neither disclose using cetyl stearyl alcohol but only ethoxylated cetyl stearyl alcohol (Example 10).

The method for preparing a fuel in microemulsion form as claimed in claim 11, including the step of mixing the components in a system provided with multiple reverse-flow coaxial turbines, is not disclosed by Haupais.

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The fuel in microemulsion form as claimed in claim 12, obtained by mixing the components in a system provided with multiple reverse-flow coaxial turbines, is not disclosed by Haupais.

Withdrawal of the objection under USC § 102 to independent claims 1, 11 and 12 as well as of claims 2-3, 6, 8-10 and 13, depending therefrom, as anticipated by Haupais, is requested.


Conclusion

Claims 1-3,6, 8-13 are considered to be in an allowable condition and allowance thereof is respectfully requested.

In addition, all the Examiner's objections have been addressed and no new issue is raised by the amendments made.

In view of the foregoing, favorable action on the merits, including entry and approval of all amendments, reconsideration and withdrawal of each rejection and allowance of all claims is respectfully solicited.

Respectfully submitted,



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